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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

<sup>CM</sup>  
~~Carnell~~ Michael McCreary  
Carnell

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

v.

STATE OF Michigan, et al

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case:2:23-cv-11834

Judge: Murphy, Stephen J.

MJ: Grand, David R.

Filed: 07-28-2023 At 03:54 PM

PRIS MCCREARY V STATE OF MICHIGAN (LG)

(as required by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No  
(check one)

**Complaint for Violation of Civil Rights  
(Prisoner Complaint)**

NON - PRISONER Complaint

**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in *forma pauperis*.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Carnell Michael McCreary  
 All other names by which you have been known:  
14739 HolmUR  
Detroit, Michigan-48238  
 ID Number \_\_\_\_\_  
 Current Institution \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name State of Michigan  
 Job or Title Corporation  
 (if known)  
 Shield Number \_\_\_\_\_  
 Employer \_\_\_\_\_  
 Address 430 W. Allegan St. Richard M. Austin Bldg  
Lansing, Michigan-48918  
☐ Individual capacity ☒ Official capacity  
Injunction only 444 FL

## Defendant No. 2

Name

Kym L. worthyJob or Title  
(if known)Wayne county Prosecutor

Shield Number

Employer

Wayne county

Address

1441 St. AntoineDetroit, michigan-48226

Individual capacity

Money

Official capacity (See Attached-1)

Injunction For Defendants only

## Defendant No. 3

Name

James E. whiteJob or Title  
(if known)Detroit Police Chief

Shield Number

unknown

Employer

Detroit Police Department

Address

1301 3rd AvenueDetroit, michigan-48226

Individual capacity

Money

Official capacity

See Attached-2)  
Injunction For Defendants)

## Defendant No. 4

Name

Judge Aliyah SabreeJob or Title  
(if known)36th District Judge

Shield Number

Employer

36th District Court

Address

421 madison St., Room-438Detroit, michigan-48226

Individual capacity

Money

Official capacity

Injunction only

**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- ☐ Federal officials (a *Bivens* claim)  
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

1st, 4th, 6th and 14th Amendments and  
 Reserve's the Right to Amend Complaint to  
 Add more Constitutional Rights that may  
 Have been violated.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

N/A

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

all above Listed Defendant's are police, Judges, and prosecutors Acting under the color of Michigan Law's in violation of the Federal constitution.

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- ☒ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☒ Other (*explain*) Innocent ON Bond and tether  
Monitor, Not Jail or Prison case

### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

Past and presently I Carnell McCreary (Petitioner) while engaging in 1st. Amendment Free Speech has complained about Detroit Police and Prosecutorial misconduct specifically Kym L. Worthy (Prosecutor) and Attorney Valerie R. Newman conspiring to uphold my criminal conviction etc where there is clear proof and evidence, From the years of 2021 till the present where I voice my grievances on Youtube social media as a 1st. Amendment Activist etc, where I've detailed see Attached (A)

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

- C. What date and approximate time did the events giving rise to your claim(s) occur?

See Attached-A

- D. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

*See Attached-A*

**V. Injuries**

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Mental Pain and Suffering is continuous  
will seek counseling.

**VI. Relief**

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I Have Been Arrested 3 months Later with No said  
warrant, without Authorization from the said  
Prosecutor, which they <sup>can</sup> Admitted to in court.  
I'm Requesting An Injunction To Stop the said  
Unconstitutional Retaliatory, criminal Actions ag-  
ainst me which violates Amendments 1, 6, 14, And any  
violations this court Deems Fit, And seeks 100 million against  
All of the Above in their personal capacity, And that  
this Honorable Court Help me Press charges against  
the Above and Jane & John doe State Officials.



4. Name of Judge assigned to your case

\_\_\_\_\_

5. Approximate date of filing lawsuit

\_\_\_\_\_

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. \_\_\_\_\_

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

\_\_\_\_\_

\_\_\_\_\_

#### IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

#### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 7-28, 2023

Signature of Plaintiff

Printed Name of Plaintiff Carnell M. McCreary

Prison Identification # N/A

CM ~~Prison~~ Address 14739 Holmud

Detroit, Michigan 48238

City State Zip Code

● Constitutional and Civil & Criminal Violations Committed Against me, where I've voiced my said Complaints the Now existing Governor etc. Note On July 05, 2022 while Conducting business at the Michigan Secretary of State. An employee Jane Doe being <sup>unp</sup>Professional was Denying me service. And told me to Leave, then an unknown Security Guard said He would call the Police & I told Him I would call the Police as well. The Police Arrived and I told them I ~~would~~ call as well. He Sgt. D Taylor, Badge- S-502 (P.O.-1) Did take charge of the Situation when the Police Violated my Liberty interest by threatening arrest if I went into the Secretary of State. The Reason I

am Barred From this Building is because the Jane & John doe State worker's didn't want me in there. The Police was Dispatched to the Location based on it Being Alleged that I threatened the Security guard it was established that I Did Not and Barred by the Above solely because Employee's did not want me in the building when I Did Nothing. There is video evidence in which Plaintiff Request's Assistance in getting this Footage to the Court. On March 26, 2023, while at a Family Home where Detroit Police were called & Acted in Misconduct, me Advising my Family of their Rights to Remain silent. Me engaging and voicing my 1st Amendment Rights, was threatened by the Police with Retaliation, they asked my Name and or was told my Name so they New who I was. A ● LT. W. Johnson, Badge-L 23 (P.O. 2) told a man to Break in the House, and tried to Have my said Cousin's Car towed Because of No insurance

● on her car, I told the LT., P.O.-2, this is said Retaliation and it was Found that my Cousin did Have insurance and their clear evidence of this Retaliation etc, Note there is video evidence. Petitioner Has Published these violations of Federal Constitutional Law on Youtube and the Police did Retaliate.

### Retaliation

On or about April 14, 2023, while outside across the Street From my Home 14739 Holmurd, Detroit, Michigan-48238. A Black Detroit Police Truck did Stop in Front of me and my Friends, and said did you guys Hear any Shooting?, I Responded we dont talk to or mess with the Police then Pulled out my phone And Started Recording. One of my Friends said "chill Carnell," the Detroit Police then said "Carnell, Carnell McCreary," Then Jumped out the Car and grabbed me and said your under Arrest. They arrested me For a 21 year old misdemeanor warrant, which Had/Has No Legal Force based on Statute of Limitation's thus violating my said Procedural & Substantive Due Process Rights, to Life, Liberty and Property & Denied me the said equal protection of the Law. I Never identified myself to police they Restrained me of my liberty went in my wallet then identified me by Looking at my driver's License, I Bonded out 4-day's Later, The Two Arresting Officers are John doe Officers, and Petitioner can obtain their names via Discovery to Amend their Names into the Complaint.

● On this Date of Arrest while at the Detroit Police Mound Facility I was Stripped in Front of Women made to put on a Suicide gown and Forced on Suicide Watch, Put in a Dirty cell and treated Like an animal by Jane and John Doe Staff.

(2nd Retaliation)

After Bonding out, on or about April 26, 2023 while sleeping in my House I Heard Loud and Repetitive Beating on doors windows etc. I did open the Door it was Detroit Police and Wayne County Sheriff's Deputies outside. I told one Officer "What's up I just Bonded out," the John Doe Officer Said "The Judge Just signed a New warrant," And I was taken into Custody. In which 8 and a Half Day's Later I was Bonded out by Friends and Family on a \$1,000 Bond and Put on tether and House Arrest. I was charged with Numerous State Statutes, as unconstitutional I challenged these Statute via Deshaney v. Winnebago Department of Social Services, 489 U.S. 189 (1989) and the Judge Refused my challenge did ignore Federal Law, using State Law in violation of Marbury v. Madison, 5 U.S. 137 (1803). Judge Alya Sabree (Judge-Sabree) in Conspiracy with Jane & John Doe Assistant Prosecutors Did Deny me my Right to present a Defense, and violated my Procedural & Substantive Due process Rights & Equal Protection Clause Rights. Note And Did Refuse to ~~Adm~~ Dismiss the Case when Detroit Police Officer Edward Pawlowski (P.O. 3) Admitted on the Stand under oath that I was so

● Arrested without a warrant 3 months later after Alleged crime with No Evidence nor Authorization From the Prosecutor. Also there are No Reports From the Arresting OFFicer's etc, the above Have and are continuing to violate my said Federal Constitutional Rights. I'm Not an Attorney and Request An Attorney to Help me with this case. I'm on House Arrest Tether Bond, I Loss my Job, Can't go to the grocery market etc, Properly earn money etc. Loss OF my Freedom to Liberty, etc.

I am seeking a Preliminary Injunction From this Honorable Court against The said Prosecutor in Her OFFicial Capacity, and I'm seeking 100 million against the prosecutor in Her personal Capacity. Because the Prosecutor ● V/a Her Agents, Did and Are in Conspiracy with Detroit Police, To Retallate against your said Petitioner because OF Him exercising His Federal 1st Amendment Right to Free Speech OF Clear Factual Statements OF Her and Her said Agent's Criminal and Federal civil violations against me By Enforcing Unconstitutional Criminal Statutes Against me And All Michigan Federal Citizens and me Voicing my Complaints Against the State, City and County Corporate Agent's. I pray that this Honorable Court Appoint An Attorney to Help me properly Construct and Litigate this Case Because I Have Been Kidnapped and Imprisoned For No crime at all Arrested with No Warrant etc. For All said

● Listed above De Fendant's I seek Injunctions Against them In their OFFicial Capacity & 100 million against all In their Personal

Capacity, And Demand A Jury Trial, And any Relief that this Honorable Court Deems Necessary.

Date: 7-28-23

BY Carnell M. McCree  
Mr. Carnell M. McCree  
14739 Holmwood  
Detroit, Michigan  
48238